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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/401,937	09/23/1999	ROBERT A. HUME	CA9-99-002	5331

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EXAMINER

ABELSON, RONALD B

ART UNIT	PAPER NUMBER
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2666

DATE MAILED: 03/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/401,937

Applicant(s)

HUME ET AL.

Examiner

Ronald Abelson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☒ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 September 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Allowable Subject Matter

1. The indicated allowability of claims 4, 5, and 7 is withdrawn in view of Haran. The examiner agrees with the applicant that the sections of Haran referred to by the examiner do not explicitly teach multiple server nodes specified in independent claims 1 and 8. Therefore, a new office action is submitted.

Claim Rejections - 35 USC § 102

2. Claims 1 - 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Haran (Comverse Network Systems).

Regarding claims 1 and 8, Haran teaches a method and apparatus for a telephone system (fig. 1) containing common channel signaling and control type having signaling network means for handling switching and control signals (fig. 1 SS7 Network) separate from voice signals (fig. 1 Voice Trunks), said signaling network adapted to respond to and handle calls from wireless subscribers (fig. 1 cell phone) pertaining to requests for services, said signaling network means including means for providing transaction signals (forwards the call to the closest SN, pg. 1048 col. 2 lines 47-49) in response to calls to the telephone system by a wireless subscriber requesting service, said signaling network means further including a message server (Distributed Infinity, pg. 1048 col. 2 lines 29-31).

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The system creates message signals that are compatible with the signaling network and service nodes, in response to transaction signals (address resolution query, pg. 1048 col. 2 lines 54-56).
*↑
message signal*

The system comprises a message router connected to the means for creating the message signals for routing the message signals to one or more interfaces for service nodes (address resolution query, received by SN "C", pg. 1048 col. 2 lines 54-61).

The system comprises a means for connecting at least one service node to the message server in order to convey the service provided by the service nodes to the wireless subscriber in response to the requested service (subscriber profile fields are sent back in response, pg. 1048 col. 2 lines 58-61).

Regarding claim 2, the message server means further includes message handler means for sending and/or receiving transaction signals to and/or the signaling network means (forwards the call to the closest SN, pg. 1048 col. 2 lines 47-49).

Regarding claim 3, the message router means includes means for sending and/or receiving message signals to the means for

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connecting at least one selected server node to the message server means (address resolution query, pg. 1048 col. 2 lines 54-56).

Regarding claim 4, the message server means includes a node selector means for routing message signals to service nodes based on the location of the wireless subscriber / MSC originating the requesting call (closest SN, pg. 1048 col. 2 lines 47-49) and the signaling network means further includes means for validating the wireless subscriber (HLR, pg. 1044, col. 1 lines 9-10).

Regarding claim 5, the message serve means includes priority selector means for selecting one or more of a plurality of service nodes to process message signals to provide the requested services to the wireless subscriber (forwards the call to the closest SN, pg. 1048 col. 2 lines 47-49).

Regarding claim 6, the message server means includes service node message handler means for communicating the message signals to and from node interface means of the one or more service nodes (address resolution query, response is received, pg. 1048, col. 2 lines 54-61).

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Regarding claim 7, the node interface means to interconnect the service nodes with the message server means includes transaction information manager means for further processing the message signals (forwards the call to the closest SN, pg. 1048 col. 2 lines 47-49, subscriber profile fields are sent back, pg. 1048 col. 2 lines 58-61).

Allowable Subject Matter

3. Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: Regarding claim 9, nothing in the prior art teaches or fairly suggests performing arbitration between various services, in combination with the other limitations listed in the claim.

Response to Arguments

4. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection. The examiner agrees with the applicant that the

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sections of Haran referred to by the examiner do not explicitly teach multiple server nodes. The applicant calls for multiple service nodes (claim 1 line 8, claim 8 line 4). Therefore, a new office action has been provided.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Abelson whose telephone number is (703) 306-5622. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (703) 308-5463. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

ra

Ronald Abelson
Examiner
Art Unit 2666

Seema S. Rao
SEEMA S. RAO 3/6/03
SUPERVISORY PATENT EXAMINER
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March 4, 2003